

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JANSSEN PHARMACEUTICALS, INC.
et al.,

Plaintiffs,

v.

WATSON LABORATORIES, INC. et al.

Defendants.

Civil Action No. 08-5103 (SRC)

OPINION & ORDER

CHESLER, U.S.D.J.

This matter comes before the Court on the joint motion seeking entry of a modified consent judgment by Defendants Lupin Pharmaceuticals, Inc. and Lupin Limited and Plaintiff Janssen Pharmaceuticals, Inc. The parties state that they bring this motion pursuant to the Order of the United States Court of Appeals for the Federal Circuit entered on March 20, 2013. In that Order, the Federal Circuit declined to dismiss the appeal of this case before it and to remand the case and, pursuant to Fed. R. Civ. P. 62.1, directed the parties to seek an indicative ruling from this Court.

While this Court lacks the authority to enter the proposed consent judgment during the pendency of an appeal, it has considered the proposed consent judgment and, should this case be remanded as anticipated by the Federal Circuit, this Court will enter the proposed order contained in Exhibit B to Docket Entry No. 319.

SO ORDERED.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.